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10/665,699

09/19/2003

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EXAMINER

PARK, JEONG S

ART UNIT

PAPER NUMBER

2154

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PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

|                              |                               |                              |  |
|------------------------------|-------------------------------|------------------------------|--|
| <b>Office Action Summary</b> | Application No.<br>10/665,699 | Applicant(s)<br>ZHANG ET AL. |  |
|                              | Examiner<br>Jeong S. Park     | Art Unit<br>2154             |  |

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 11/21/2007.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-13, 15-26 and 28-36 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-13, 15-26 and 28-36 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 19 September 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
     Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
     Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date <u>12/12/2007</u> . | 6) <input type="checkbox"/> Other: _____  |

### **DETAILED ACTION**

1. This action is in response to communications filed on November 21, 2007.

#### ***Claim Objections***

2. Claim 15 is objected to under 37 CFR 1.75(c), as being of improper dependent form for failing to further limit the subject matter of a previous claim. Applicant is required to cancel the claim(s), or amend the claim(s) to place the claim(s) in proper dependent form, or rewrite the claim(s) in independent form.

#### ***Claim Rejections - 35 USC § 112***

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. Claims 1-13, 15-26, 28-34 and 36 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Regarding claims 1, 19, 29, 30 and 36, the phrase "may" renders the claim indefinite because it is unclear whether the limitation(s) following the phrase are part of the claimed invention. See MPEP § 2173.05(d).

#### ***Claim Rejections - 35 USC § 102***

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States

only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

6. Claims 1-5, 9-13, 16-26 and 28-36 are rejected under 35 U.S.C. 102(e) as being anticipated by Johnson et al. (hereinafter Johnson)(U.S. Patent Pub. No. 2003/0023679 A1).

Regarding claims 1, 29, and 36, Johnson teaches as follows:

A method or an article of manufacture for use by at least one entity (client workstation (originator), reference character 50 in figure 2) in participating in a collaborative information exchange with at least one other entity (client workstation (receiver), reference character 52 in figure 2)(collaboration between networked computer users, see, e.g., page 2, paragraph [0018]), the method comprising the steps of:

Obtaining annotation data (URL of the content), the annotation data comprising one or more links (URL) to information associated with the collaborative information exchange (the transmission of the collaborative content and the subject drawing by exchanging the URL of the content and rendering instructions as part of that URL, see, e.g., page 2, paragraph [0023]) and comprising at least one hierarchical representation defining one or more of (i) an indication of organizational data entities; (ii) a specification of collaborating entities; (iii) a specification of content type pertinent to collaborating entities (iv) a specification of access control information; (v) a specification of dependency information for organizational data entities; and (vi) a specification of a type of business construct defining collaboration activity (the encoded representation of collaborative content comprises of rendering instructions as part of URL which is the

same as the specification of content type pertinent to collaborating entities, see, e.g., page 2, paragraph [0023]); and

Transmitting at least a portion of the annotation data (URL of the content) to the at least one other entity (a client workstation or receiver) such that the at least one other entity may access at least a portion of the information associated with the collaborative information exchange by selecting at least one of the one or more links (the collaborative content transmitted to a client workstation (receiver) need only include a URL and rendering instructions to enable a user to view the collaborative content, see, e.g., page 3, paragraph [0027], lines 16-20) and may utilize at least a portion of the annotation data defined in the at least one hierarchical representation (once the collaborative content with the annotation is received by the receiver, the receiver can become an originator and create collaborative content or revise the collaborative content, see, e.g., page 5, paragraph [0062]).

Regarding claims 2 and 20, Johnson teaches that the selection of a link permits the at least one other entity to access the information on a need basis (the receiver sends the encoded representation of collaborative content to server to display it on receiver's station, see, e.g., page 5, paragraph [0062], lines 1-5).

Regarding claims 3 and 21, Johnson teaches that a link may be selected by the at least one other entity at a time not contemporaneous with the time of receipt of the annotation data (providing non-real time collaboration by posting the encoded representation of collaborative content on message boards, news groups, see, e.g., page 2, paragraph [0025]).

Regarding claims 4, 22, and 32, Johnson teaches that the annotation data is schema-less (the server process, reference character 53 in figure 2, receives an encoded representation of the collaborative content as a URL and render the content for presentation on the client workstations with rendering instructions given as part of that URL, see, e.g., page 5, paragraph [0063], lines 16-21, figure 4 and page 2, paragraph [0023]).

Regarding claims 5 and 23, Johnson teaches that the step of embedding information in a message transferred between the at least one entity and the at least one other entity (rendering instructions, see, e.g., page 6, paragraph [0070], lines 9-13, and encoded annotations, see, e.g., page 7, paragraph [0073], are embedded in the collaborative content).

Regarding claims 9 and 24, Johnson teaches that messages exchanged are governed by one or more message exchange patterns (see, e.g., page 5 paragraph [0061] and figure 7).

Regarding claim 10, Johnson teaches that one or more message exchange patterns comprise at least one of a construct (originator primitive and recipient primitive) and a primitive (originator or recipient)(see, e.g., page 5 paragraph [0061] and figure 7).

Regarding claim 11, Johnson teaches that the one or more message exchange patterns control at least one of non-structural and non-deterministic information exchange flow (collaboration between networked computer users does not require a dedicated collaboration application on the user's computer system, see, e.g., page 2, paragraph [0018] and the server process renders the content for presentation on the

client workstations with rendering instructions given as part of that URL, see, e.g., page 5, paragraph [0063], lines 16-21 and page 2, paragraph [0023]).

Regarding claims 12 and 25, Johnson teaches that the obtaining step further comprises retrieving the annotation data from storage (the encoded collaborative content contains URL referencing the base document which is stored in a persistent base document storage, reference character 55 in figure 2, see, e.g., page 5, paragraph [0059], lines 10-12 and page 6, paragraph [0072], lines 11-12).

Regarding claims 13 and 26, Johnson teaches that the obtaining step further comprises generating the annotation data (the originator generates the encoded representation of collaborative content, see, e.g., page 5, paragraph [0061], lines 11-18 and figure 7, step 71).

Regarding claims 16, 17, and 28, Johnson teaches that the collaborative information exchange is performed in accordance with a design collaboration application and at least one collaborating entity (originator, 50 in figure 2) communicates with the design collaboration application (network collaboration system is utilized in the drawing process between the originator and the recipient, see, e.g., page 6, paragraph [0069] and figure 6).

Regarding claim 18, Johnson teaches modifying at least one of the annotation data and organizational data, based on changes in at least one of project, task and people assignments (see, e.g., page 2, paragraph [0022]).

Regarding claim 19, Johnson teaches as follows:

An apparatus for use by at least one entity (client workstation: originator, reference character 50 in figure 2) in participating in a collaborative information exchange with at least one other entity (client workstation: receiver, reference character 52 in figure 2) (collaboration between networked computer users, see, e.g., page 2, paragraph [0018]);

The apparatus comprising a memory (reference character 16 in figure 1) and at least one processor (reference character 14 in figure 1) coupled to the memory operative (see, e.g., page 3, paragraph [0029], lines 1-5 and figure 1);

To obtain annotation data, wherein the annotation data is interpreted as an encoded representation of collaborative content (the originator generates the encoded representation of collaborative content and send it to the receiver via a server, see, e.g., page 5, paragraph [0061], lines 11-18 and figure 7);

The annotation data (encoded representation of collaborative content) comprising one or more links (URL part one and two) to information associated with the collaborative information exchange (the encoded representation of collaborative content consists of URL part one and two, the URL part one and two contain the base document or content identifier, its location on a document repository, and detailed viewing information and encoded annotations, see, e.g., page 6, paragraph [0072], page 7, paragraph [0073] and figure 5); and

To transmit at least a portion of the annotation data to the at least one other entity such that the at least one other entity may access at least a portion of the



information associated with the collaborative information exchange by selecting at least one of the one or more links (once the encoded representation of collaborative content is received by the receiver, the receiver sends it to the server to display by receiver, see, e.g., page 5, paragraph [0062] and figure 7, step 74-76).

Regarding claim 30, Johnson teaches an apparatus comprising:

An annotation data generation tool for generating annotation data (originator generates the collaborative content, see, e.g., page 5, paragraph [0061], lines 1-5);

A collaborative directory coupled to the annotation data generation tool for storing the generated annotation data (persistent base document storage, reference character 55 in figure 2, see, e.g., page 5, paragraph [0059]); and

An annotation data manager (server process, reference character 53 in figure 2) coupled to the collaborative directory for managing the annotation data (see, e.g., page 2, paragraph [0026] and figure 2).

Regarding claim 31, Johnson teaches the annotation data manager is responsive to a collaboration pattern, the collaboration pattern representing iterative actions that may occur between the one entity and the at least one other entity (see, e.g., page 2, paragraph [0026], figure 2 and page 5, paragraph [0061], figure 7).

Regarding claim 33, Johnson teaches a web-based interface for use in participating in the collaborative information exchange (see, e.g., page 5, paragraph [0063] and figure 4).

Regarding claim 34, Johnson teaches the collaborative directory serves as a hub for managing collaborative resources of multiple organizations that use the hub as a

central place to perform business collaboration (server and persistent base document storage together serve as a hub for managing collaborative resources, see, e.g., page 5, paragraph [0059] and page 2, paragraph [0026]).

7. Claim 35 is rejected under 35 U.S.C. 102(a) as being anticipated by Stewart et al. (hereinafter Stewart)(U.S. Patent Pub. No. 2002/0156693 A1).

Regarding claim 35, Stewart teaches as follows:

A method of deploying a business collaboration system (an open market collaboration system for enterprise wide electronic commerce, see, e.g., abstract and figure 20), the method comprising the steps of:

Deploying at least one on-demand business collaboration (identify the trading partners desired for the collaboration after determining the types of business transactions based on an business strategy, which means the system deploys the collaboration based on the demand, see, e.g., page 13, paragraph [0239]) hyperchain-based (communicating using XML messages between the workflow server and the collaboration server, see, e.g., page 11, paragraph [0172]) management apparatus for use in one or more of (see, e.g., page 13, paragraph [0237]);

Defining at least one business collaboration process template (determine the types of business transactions to be conducted, see, e.g., page 13, paragraph [0239], lines 2-5 and );

Creating at least one set of data constructs (configuring the types of messages, see, e.g., page 13, paragraph [0241], lines 11-13);

Selecting at least one other collaborating entity (trading partners) for information

exchange capable of acting on at least one set of business constructs (identify the trading partners desired for the collaboration, see, e.g., page 13, paragraph [0239], lines 6-8);

Customizing a process template to support a selected set of business constructs (define the collaboration process and trading partner roles, see, e.g., page 13, paragraph [0241], lines 1-7 and also see, e.g., page 11, paragraph [0170], lines 8-12);  
and

Generating at least one set of activities in a business construct with initial collaborative data entities (begin trading activities, see, e.g., page 13, paragraph [0245]).

***Claim Rejections - 35 USC § 103***

8. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

9. Claims 6-8 and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Johnson et al. (hereinafter Johnson)(U.S. Patent Pub. No. 2003/0023679 A1) in view of Atkins et al. (hereinafter Atkins)(U.S. Patent Pub. No. 2003/0097410 A1).

Regarding claims 6-8, Johnson discloses the embedded information in a message (rendering instructions, see, e.g., page 6, paragraph [0070], lines 9-13, and encoded annotations, see, e.g., page 7, paragraph [0073], are embedded in the

collaborative content) as explained above except for a status tracking function of the embedded information to cause notification in the form of an alert type.

Atkins discloses as follows:

A system provides an online service for facilitating collaboration among several individuals across a data network (see, e.g., page 3, paragraph [0034], lines 1-3 and figure 3);

A status tracking function for the collaborative information (shared collection of objects)(network service site, reference character 320 in figure 3, tracks changes or comments made to the shared collection of objects, see, e.g., page 3, paragraph [0038], lines 1-5);

A portion of the embedded information is employed to cause notification of one or more entities (the other collaborators) about a status of an action (the network service site dispatches update notifications to the other collaborators, see, e.g., page 3, paragraph [0038], lines 1-5); and

The notification is in the form of an alert type (forming of an alert type is inherent when sending notification message to the others via the asynchronous messaging channel, see, e.g., page 3, paragraph [0038], lines 1-5).

It would have been obvious for one of ordinary skill in the art at the time of the invention to modify Johnson to include providing notifications to the other collaborators for any change or comment made to the shared collection of objects as taught by Atkins in order to update the shared message (the shared collection of objects) quickly and promptly between the at least one entity and the at least one other entity (collaborators).

Regarding claim 15, Johnson discloses all the limitations of claim as explained above except for determining an individual or an authority to be notified.

Atkins discloses that the repository, reference character 320 in figure 3, sends asynchronous messages including the URL to the collaborating clients, 330 in figure 3, notifying them of the new updates contributed to the objects (see, e.g., page 7, paragraph [0073], lines 19-26).

It would have been obvious for one of ordinary skill in the art at the time of the invention to modify Johnson to include sending notifications to the determined individual or authority as taught by Atkins in order to update the shared message quickly and promptly between collaborators.

### ***Response to Arguments***

10. Applicant's arguments filed 11/21/2007 with respect to amended claims 1, 19, 29, 30 and 36 have been fully considered but they are not persuasive.

#### **A. Summary of Applicant's Arguments**

In the remarks, the applicant argues as followings:

1) Regarding the amended claim 1, the independent claims now further specify that the annotation data also comprises at least one hierarchical representation defining one or more of: (i) an indication of organizational data entities; (ii) a specification of collaborating entities; (iii) a specification of content type pertinent to the collaborating entities; (iv) a specification of access control information; (v) a specification of dependency information for the organizational data entities; and (vi) a specification of a type of business construct defining collaboration activity; such that the at least one other

entity may utilize at least a portion of the annotation data defined in the at least one hierarchical representation. Paragraphs [0023] and [0027], newly cited by the Examiner in the present Office Action, merely indicate that Johnson discloses transmitting a conventional "URL of the content" between collaborating parties. This is clearly not equivalent to the claimed annotation data; and

2) Stewart fails to teach or suggest all of the limitations of claim 35. For example, no where does Stewart disclose "customizing a process template to support a selected set of business constructs." In fact, no where does Stewart even mention creation of "a process template."

B. Response to Arguments

In response to argument 1), Johnson teaches as follows:

Collaborators share the collaborative content by transmitting a message including a URL, which not only contents the identity of the base document but also includes an encoded representation of the collaborative content (equivalent to applicant's annotation) added to the base document by a collaborator (see, e.g., page 4, paragraph [0044], lines 10-16); and

URL part two contains the encoded annotations including three collaborative elements: a red circle, a red arrow, and a text area containing the text: "this is a collaborative element" (see, e.g., page 7, paragraph [0073]).

Therefore, it is inherent that an annotation can include any specific information required based on the type of the collaborative content.

In response to argument 2), Stewart teaches as follows:

Creating a new workflow template (equivalent to applicant's process template), and using this template to define an XML document. The company then defines a set of business operations (equivalent to applicant's selected set of business constructs) and stores these with the templates in a workflow template database (see, e.g., page 11, paragraph [0170], lines 8-12); and

Defining the collaboration process and trading partner roles (see, e.g., page 13, paragraph [0241], lines 1-7).

Therefore, Stewart teaches all the limitations of claim 35.

### ***Conclusion***

11. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

12. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jeong S. Park whose telephone number is 571-270-

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1597. The examiner can normally be reached on Monday through Friday 7:00 - 3:30 EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nathan Flynn can be reached on 571-272-1915. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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February 1, 2008